REMARKS

The Examiner has rejected claims 1-3 under 35 U.S.C. §102(e) as being anticipated by Adamchick. Claim 2 has been rejected under 35 U.S.C. §103 as being unpatentable over Adamchick, and claim 4 is rejected under 35 U.S.C. §103 as being unpatentable over Adamchick in view of Dickens.

In response to the rejections, Applicant has canceled claims 1-4 and added new claims 5 and 6. Claim 5 refers to a series of operational steps, to be performed by a computer, using a date format having 7 integers, in which date files are added to produce a new calendar date. Claim 6 defines a concomitant series of steps for subtracting date files to determine the number of years and days difference between two dates. These operational steps are fully described in the specification and a believed free of new matter. Moreover, new claims 5 and 6 integrate features defined in claims 1, 3 and 4. Applicant believes that new claims 5 and 6 are allowable over the art of record, and particularly over the Adamchick reference, whether taken alone or in combination with the Dickens patent.

In the present Final Action, as in the prior actions, the rejection of Applicant's claims has been predicated simply upon the format for representing calendar dates. However, Applicant's invention does not rest just on the definition of the claimed date files. As more clearly reflected in new claims 5 and 6, Applicant's invention resides in a heretofore unrecognized and non-obvious system for performing addition and subtraction operations on calendar dates. While Applicant's system solves the well-known "Y-2K" problem associated with performing date calculations across millennia, it also (and perhaps more importantly) provides a date calculation system that is accurate and is easily implemented in modern computer systems.

The Office Action makes reference to the excerpt from the Adamchick reference, that discusses the Julian date (col. 4, ll. 26-28). However, Adamchick explicitly rules out the disclosed Julian date system as a possible solution for the millennium problem in stating, "the seven-digit Julian Date exhibits the same encountered drawbacks when the Standard Form is extended to eight digits". It should certainly be clear that Adamchick teaches away from any calendar date system that is based upon a Julian date approach. From this perspective, it cannot be said that Adamchick suggests or motivates the invention of claims 5 and 6.

Moreover, neither Adamchick nor Dickens discloses any date calculation system. Adamchick does recognize that a date calculation capability is a desirable property for a date system. See, Adamchick col. 3, ll. 16-25; col. 7, ll. 26-36. Dickens simply acknowledges that "further processing" might be performed on a symbolic date representation. See, Dickens col. 3, ll. 61-65. However, neither of these patents even remotely discusses how such date calculations can be performed, even with the symbolic date representations disclosed in each patent. Certainly, Adamchick does not disclose how any date manipulations could be conducted with the Julian dates described in the background of that patent.

The cited references cannot anticipate Applicant's invention of claims 5 and 6, which specifically claim a date manipulation process. Moreover, neither reference provides any teaching whatsoever as to how any date calculations of any type could be conducted. Thus, neither reference, whether taken alone or in combination, can be said to render Applicant's invention obvious.

The invention of claim 5 includes a step of adding 635 to the integers of certain date files to achieve year rollover. The invention defined in claim 6 parallels the steps of claim 5, except involving date subtraction. Again, as discussed above, neither reference provides any guidance as to date manipulation techniques. The Dickens

reference was specifically cited against original claim 4 that includes the step of adding 635 to a date sum. However, Dickens does not disclose adding integers from a plurality of date files, and more pertinently, does not disclose adding 635 or any other number to achieve year rollover, as defined in claims 5 and 6. Moreover, adding 635 to the formatted symbolic date of Dickens would destroy the utility of the Dickens date system since only the last two integers of that system represent the day of a month and the adjacent integer is part of the month designation.

The Adamchick and Dickens references do not include any information from which a person of ordinary skill could generate Applicant's invention of claims 5 and 6. Even with the hindsight reconstruction that seems to have crept into the rejections in this Final Action, there is still nothing in either reference that shows the operational steps defined in Applicant's claims.

With respect to Applicant's many Declarations Under 37 C.F.R. §1.131, Applicant's invention as set forth in new claims 5 and 6 are clearly supported by Applicant's acts of due diligence. As reflected in the declarations and Applicant's prior pleadings, Applicant devised an invention for implementation by a computer, and more specifically conceived a series of operational steps that can be performed by a computer. The peremptory reference to a rejection under 35 U.S.C. §101 is inappropriate for many reasons, not the least of which Applicant's claims 5 and 6 are similar in format and content to the claims in both the Adamchick and the Dickens references.

Perhaps most distressing is that this "proposed" rejection suggests a pre-disposition against the present application and inventor. This pre-disposition echoes in the summary dismissal of Applicant's documentary evidence supporting his claim of due diligence and dismissal of Applicant's declarations as "addressed to offer for sale or use, not to reduction of invention to practice". In order to so easily discount Applicant's

evidence of activity, the inventor's own sworn testimony must be disregarded. The realm of patent prosecution is not the proper forum for judging the credibility and honesty of the inventor and puts the Applicant in the insurmountable position of defending the veracity of his own sworn statements. To the extent that the foregoing substantive arguments of patentability are dismissed, Applicant respectfully requests reconsideration of the many Declarations and supporting documentation to swear behind the Adamchick patent.

Reconsideration of the present application in view of the above amendment and remarks is respectfully requested. It is believed that the application, including new claims 5 and 6, is in condition for allowance. Action toward that end is solicited.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claims:

[1. A date formatting system comprising:

a computer readable memory storage medium, said medium storing a plurality of date files, each said date file having 6 integers and comprising:

a 4 digit decimal year represented in a first three integer form, the last two of said first three said integers representing the last two digits of the 4 digit decimal year, the first of said first three said integers representing a designated century; and

a 3 digit decimal day represented in a second three integer form, said second three integers representing a day of a year;

whereupon addition to or subtraction of at least two of said plurality of date files, the respective sums and differences can be computed and maintained after year 1999; and

a central processing unit for carrying out said addition and said subtraction operations.]

[2. The, date formatting system of claim 1 wherein said first of said first three said integers representing a designated century are selected from the group ranging from 1 through 9, and wherein:

The integer 1 represents the 19th Century;

The integer 2 represents the 20th Century;

The integer 3 represents the 21st Century;

The integer 4 represents the 22nd Century;

The integer 5 represents the 23rd Century;

The integer 6 represents the 24th Century;

The integer 7 represents the 25th Century;

The integer 8 represents the 26th Century; and

The integer 9 represents the 27th Century.]

[3. A date formatting system comprising:

a computer readable memory storage medium, said medium storing a plurality of date files, each said date file having 7 integers and comprising:

a 4 digit decimal year represented in first four said integers; and

a 3 digit decimal day represented in last three said integers, said second three integers representing a day of a year;

whereupon addition to or subtraction of at least two of said plurality of date files, the respective sums and differences can be computed and maintained after year 1999; and

a central processing unit for carrying out said addition and said subtraction operations.]

[4. A series of operational steps to be performed on or with the aid of a computer, said steps comprising:

providing a computer readable storage medium storing a plurality of date files, each said date file having 6 integers and comprising:

a 4 digit decimal year represented in a first three integer form, the last two of said first three said integers representing the last two digits of the 4 digit decimal year, the first of said first three said integers representing a designated century; and

a 3 digit decimal day represented in a second three integer form, said second three integers representing a day of a year;

adding said integers of one of said plurality of files to another of said plurality of files to generate a sum, and optionally;

whenever necessary, adding 635 to said sum; and

providing a central processing unit to carry out said adding of said integers.]

-- 5. A series of operational steps to be performed by a computer, said steps comprising:

storing a plurality of date files within the computer, each said date file having 7 integers including;

a 4 digit decimal year represented in the first four integers of said 7 integers;

a 3 digit decimal day represented in the last three integers of said 7 integers;

in a central processing unit of the computer, adding said 7 integers of one of said plurality of date files to said 7 integers of another said plurality of date files to generate a sum; and

adding 635 to said sum when the last three integers of said sum is in excess of 365 to generate a new date file representative of a new calendar date. --

-- 6. A series of operational steps to be performed by a computer, said steps comprising:

storing a plurality of date files within the computer, each said date file having 7 integers including;

a 4 digit decimal year represented in the first four integers of said 7 integers;

a 3 digit decimal day represented in the last three integers of said 7 integers;

in a central processing unit of the computer, subtracting said 7 integers of one of said plurality of date files to said 7 integers of another said plurality of date files to generate a sum; and

subtracting 635 from said sum when the last three integers of said sum is in excess of 365 to generate a new date file representative of the number of years and days difference between the date files. --